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09/924,491	08/09/2001	Meschia Maurilio	3410-29	2557

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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT PAPER NUMBER

2618

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/924,491	Applicant(s) MAURILIO, MESCHIA	
	Examiner Shaima Q. Aminzay	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 15, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action has been restructured for clarity. Examiner did not change the ground of rejection; but has changed the argument of the rejection for clarity to reflect the amendment. The references Gernert (Gernert et al., US Patent No. 6,600,734) in view of Kitahata (Kitahata et al., US Patent No. 6,037,400) teach the limitations of the claims, and the Examiner shows (rejection bellow) that the references are related to the claimed limitations.

Response to Arguments

Applicant's arguments filed June 15, 2006 have been fully considered.

1. Applicant's arguments with respect to claims 1-15 under 35 U.S.C.103(a)
Rejection has been fully considered, but they are not persuasive.

The applicant's argued features in the claims, i.e., providing an "network connection system for machine tools, in particular injection presses for plastics, comprising a plurality of machine tools (1) constructed to be connected to a network to share common resources and exchange data, characterized in that said network is a wireless network and at least some of said machine tools (1) comprise, in a permanent or semi-permanent manner, a device (12) for connection to said wireless network, through radio communication in frequency bands available for radio communications, said device (12) for connection to the

wireless network being able to communicate with a server (4), also provided with a device (12) for connection to the wireless network and/or with at least one access point (20) connected to a hard-wired network (10; 50)" to be established read upon Gernert (Gernert et al., US Patent No. 6,600,734) in view of Kitahata (Kitahata et al., US Patent No. 6, 037,400). Gernert discloses a network connection system for user equipments such as mobile units, fax machine (factory machine tool) or other communication tools and equipments in manufacturing facility with the plurality of user equipment such as mobile units, fax machine (factory machine tool) or other communication tools and equipments connected to a network for communication transmission and sharing common resources, the communication network is wireless, the wireless device connected to the network through RF communication in RF band for the radio communication and the connection variations (permanent or semi-permanent), the wireless device connected to the network through RF communication in RF bands (radio frequency bands) for the radio communication, the connected wireless device communicates with the network server, the user equipments connection with the wireless and/or wired access points. Gernert does not specifically teach injection presses for plastics, however, Gernert teaches the user equipment and manufacturing tools. In a related art dealing with wireless and/or wired communication system, Kitahata teaches injection presses for plastics.

Gernert and Kitahata are analogous to the applicants teaching, that's why they do obviate. The rejection is maintained.

Claims Objection

2. Claim 15 is objected to because of the following information: In line one of claims 15 the phrase "to any one of claims 1 to 12" is not the same as "Previously Presented" claim 15, the "Previously Presented" claim 15 phrase is "- to claim 1 --". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter that is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make

and/or use the invention.

In independent claim 1, lines 2-3, the phrase "a plurality of machine tools (1) constructed" is not supported in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gernert (Gernert et al., US Patent No. 6,600,734) in view of Kitahata (Kitahata et al., US Patent No. 6,037,400).

Regarding claim 1, Gernert discloses a network connection system for machine tools, in particular [injection presses for plastics] (*see for example, Figure 1, column 1, line 21-26, column 2, lines 8-20, lines 38-49, column 3, lines 48-67 continued to column 4, lines 1-10, lines 30-67 continued to column 5, lines 1-34, lines 54-65, column 6, lines 13-15, 18-21, 25-27, column 7, lines 1-13, column 8, lines 16-24, network connection system for user equipments such as*

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mobile units, fax machine (factory machine tool) or other communication tools and equipments in manufacturing facility), comprising a plurality of machine tools (1) constructed to be connected to a network to share common resources and exchange data (see for example, Figure 1, column 1, line 21-26, column 3, lines 48-67 continued to column 4, lines 1-10, column 6, lines 13-15, 18-21, 25-27, lines 38-67 continued to column 7, lines 1-13, the plurality of user equipment such as mobile units, fax machine (factory machine tool) or other communication tools and equipments connected to a network for communication transmission and sharing common resources), characterized in that said network is a wireless network (see for example, Figure 1, column 1, line 21-26, column 3, lines 48-67 continued to column 4, lines 1-10, column 6, lines 13-15, 18-21, 25-27, lines 38-67 continued to column 7, lines 1-13, the communication network is wireless) and at least some of said machine tools (1) comprise, in a permanent or semi-permanent manner (see for example, Figure 1, column 2, lines 8-20, lines 38-63, column 5, lines 21-34, lines 54-65, column 6, lines 40-53, column 8, lines 16-24, column 11, lines 30-42, column 12, lines 2-33, the wireless device connected to the network through RF communication in RF band for the radio communication and the connection variations (permanent or semi-permanent)), a device (12) for connection to said wireless network, through radio communication in frequency bands available for radio communications (see for example, Figure 1, column 2, lines 8-20, lines 38-63, column 5, lines 21-34, lines 54-65, column 6, lines 40-53, column 8, lines 16-24, column 11, lines 30-42, column 12, lines 2-33, the

wireless device connected to the network through RF communication in RF bands (radio frequency bands) for the radio communication), said device (12) for connection to the wireless network being able to communicate with a server (4) (see for example, Figures 1 and 3, column 2, lines 8-20, column 3, lines 56-67 continued to column 4, lines 1-10, column 5, lines 54-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-28, column 14, lines 6-13, column 15, lines 13-19, the connected wireless device communicates with the network server), also provided with a device (12) for connection to the wireless network and/or with at least one access point (20) connected to a hard-wired network (10; 50) (see for example, Figures 1, column 2, lines 8-20, lines 38-49, column 3, lines 48-67 continued to column 4, lines 1-10, lines 30-67 continued to column 5, lines 1-34, lines 54-67, the user equipments connection with the wireless and/or wired access points).

Gernert does not specifically teach injection presses for plastics, however, Gernert teaches the user equipment and manufacturing tools (see for example, column 3, lines 55-67, and column 7, lines 4-13).

In a related art dealing with wireless and or wired communication system (see for example, column 1, lines 16-23), Kitahata teaches injection presses for plastics (see for example, column 1, lines 16-23, column 2, lines 4-14, column 7, lines 29-36).

It would have been obvious to one of ordinary skill in the art at the time invention was made to include Kitahata's injection presses for plastics into

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Gernert's network communication system to provide an improved user device network connection such as LAN and/or WAN connections and to communication system for the manufacturing facility (Gernert, *see for example, column 1, lines 21-26, column 2, lines 8-20, lines 38-63, column 3, lines 48-67, column 4, lines 1-10, lines 30-67, and column 7, lines 4-13, and Kitahata, column 1, lines 16-23, lines 23-28*).

Regarding claim 2, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that between said devices (12) for connection to the wireless network and said at least one access point (20) data are exchanged in a frequency band ranging between 2.4 GHz and 2.5 GHz (*see for example, column 2, lines 8-20, lines 38-63, column 7, lines 59-67 continued to column 8, lines 1-24, column 11, lines 30-42, the wireless network connection, the access point and frequency band range of 2.4 GHz*).

Regarding claim 3, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that at least some of said machine tools have a computer (11) in which said device (12) for radio communications is installed (*see for example, Figure 1, column 3, lines 56-67, column 6, lines 38-53, column 6, lines 4-13, column 11, lines 30-42, column 12, lines 22-33, radio communication between the user equipment and the*

computerized tools such as fax or other manufacturing tools).

Regarding claim 4, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said wireless network and/or said hard-wired network (10; 50) is/are managed by a server (4) *(see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 5, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network being managed by the server).*

Regarding claim 5, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) is connected to said hard-wired network (10; 50) through a hard-wired connection (16; 52) by means of network boards (15) for transmission via cable *(see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network being managed by the server that is hard wired to the network).*

Regarding claim 6, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) is connected to said hard-wired network (10; 50) through a radio link,

by means of said radio communications device (12) (see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection via radio link and the communication device).

Regarding claim 7, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 6, and further, Gernert teaches characterized in that said server is a computer (11) of one of the machine tools (1) (see for example, Figure 1, column 3, lines 56-67, column 5, lines 65-67 continued to column 6, lines 1-10, lines 38-53, column 7, lines 4-13, column 11, lines 30-42, column 12, lines 22-33, server and the computerized tools such as fax or other manufacturing tools).

Regarding claim 8, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that peripheral devices (17) are connected to said network (10; 50), through a hard-wired connection (16; 53), by means of network boards (15) for transmission via cable (see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network transmission).

Regarding claim 9, Gernert in view of Kitahata teach all the claimed limitations

as recited in claim 1, and further, Gernert teaches characterized in that peripheral devices (17) are connected to said hard-wired network (10, 50) through a radio link, by means of devices (12) for radio transmission (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network transmission*).

Regarding claim 10, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) has devices (32, 35) for connection to another local network (LAN) (30) or to a WAN external network (31) (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to LAN and WAN*).

Regarding claim 11, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (32) for connection of the server (4) to another local network (LAN) (30) is a network board (32) for connection by cable or by radio link (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 5, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network*

connections).

Regarding claim 12, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (35) for connection of the server (4) to another outside network (WAN) (31) is an analogical or digital modem (35) *(see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to WAN).*

Regarding claim 13, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (35) for connection of the server (4) to another outside network (WAN) (31) is a router *(see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to WAN).*

Regarding claim 14, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said network (10) is an Ethernet local network (LAN) of the linear type *(see for example, Figure 1, column 4, lines 30-60, column 5, lines 21-3, column 10, lines*

44-52, column 15, lines 13-19).

Regarding claim 15, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said network (50) is an Ethernet local network (LAN) of the star type with a hub distributor device (2) *(see for example, Figure 1, column 4, lines 30-60, column 5, lines 21-3, column 10, lines 44-52, column 15, lines 13-19).*

Conclusion

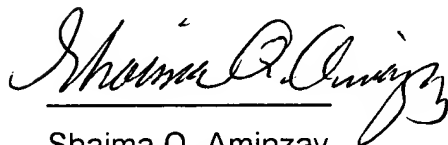
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay
(Examiner)

 8/2/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER

Nay A. Maung
(SPE)

July 25, 2006